

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

ELIJAH N. WALKER,

Plaintiff,

v.

PHOENIX LAW PC,

Defendant.

Case No. 1:23-cv-00745-DII

Hon. Judge Docket II

AFFIDAVIT IN SUPPORT OF PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT AGAINST THE PHOENIX LAW PC ON A SUM CERTAIN

I, Nathan C. Volheim, being duly sworn, state as follows:

1. I am the attorney for Plaintiff in the above-entitled action and as such, I am familiar with the billing, records, events, and pleadings in this matter.
2. On July 12, 2023, the process server served the Defendant by serving Defendant's Registered Agent, Jenn Bautista at 2710 Gateway Oaks Drive, Suite 150N, Scato, CA 95833. [Dkt. No.6].
3. A responsive pleading to the Complaint was due on August 2, 2023. No response was tendered within the time allowed by law nor has the Defendant sought additional time within which to respond.
4. As required by the Service Members Civil Relief Act of 2003, I have confirmed that the Defendant is not currently in active military service.
5. To my best information and belief, Defendant is not an infant or an incompetent person.

6. Plaintiff seeks reasonable costs and attorney fees of \$2,681.30. Billing has been kept by an electronic billing system and is reasonable for an attorney with similar experience.
7. The Plaintiff is requesting the entry of judgment against the Defendant for violating the law. This Honorable Court shall determine the judgement amount.

Nathan C. Volheim
Counsel for Plaintiff